

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

MICHAEL LOCKWOOD,	:
Plaintiff	:
v.	: Case No. 3:13-cv-51-KRG-KAP
JOHN PREBISH, WARDEN,	:
CAMBRIA COUNTY PRISON, <u>et al.</u> ,	:
Defendants	:

Memorandum Order

This matter was referred to Magistrate Judge Keith A. Pesto for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636 and Local Civil Rule 72.

The Magistrate Judge filed a Report and Recommendation on March 1, 2016, ECF no. 66, recommending that the remaining defendants' motion for summary judgment, ECF no. 42, be granted as to the deliberate indifference claims, and that the negligence claims either be dismissed without prejudice to proceeding in state court or that summary judgment be granted to defendants on them as well.

The parties were notified that, pursuant to 28 U.S.C. § 636(b)(1), they had fourteen days to file written objections to the Report and Recommendation. Plaintiff filed objections at ECF no. 67, that I have reviewed de novo.

After de novo review of the record and the Report and Recommendation, and the objections thereto, the following order is entered:

AND NOW, this 23rd day of March, 2016, it is

ORDERED that defendants' motion for summary judgment, ECF no. 42, is granted. The relevant part of the Report and Recommendation is adopted as the opinion of the Court. The Clerk shall mark this matter closed.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kim R. Gibson". The signature is written in a cursive, flowing style. The first name "Kim" is written with a large, stylized "K". The last name "Gibson" is written with a large, stylized "G".

KIM R. GIBSON,
UNITED STATES DISTRICT JUDGE

Notice to counsel of record by ECF and by U.S. Mail to:

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